

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
Lisa Laukitis
Christine A. Okike
Four Times Square
New York, New York 10036-6522
Telephone: (212) 735-3000
Fax: (212) 735-2000

– and –

TOGUT, SEGAL & SEGAL LLP
Albert Togut
Neil M. Berger
Kyle J. Ortiz
One Penn Plaza
Suite 3335
New York, New York 10119
Telephone: (212) 594-5000
Fax: (212) 967-4258

Ron E. Meisler (admitted *pro hac vice*)
Christopher M. Dressel (admitted *pro hac vice*)
Jennifer Madden (admitted *pro hac vice*)
155 North Wacker Drive
Chicago, Illinois 60606-1720
Telephone: (312) 407-0700
Fax: (312) 407-0411

Counsels to Debtors and Debtors-in-Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

**SYNERGY PHARMACEUTICALS INC., *et al.*,
Debtors.¹**

Chapter 11

Case No. 18-14010 (JLG)

Jointly Administered

**NOTICE OF AMENDED² AGENDA OF MATTERS
SCHEDULED FOR HEARING ON APRIL 9, 2019 AT 12:00 P.M.**

Time and Date of Hearing: April 9, 2019 at 12:00 p.m. (Prevailing Eastern Time)

Location of Hearing: Honorable James L. Garrity Jr., Courtroom 601, United States
Bankruptcy Court, Southern District of New York, One
Bowling Green, New York, NY 10004

¹ The Debtors in these chapter 11 cases, along with the last four digits of their respective tax identification numbers, are as follows: Synergy Pharmaceuticals Inc. (5269); Synergy Advanced Pharmaceuticals, Inc. (4596). The address of the Debtors' corporate headquarters is 620 Lee Road, Chesterbrook, Pennsylvania 19087.

² *Amended items appear in italics.*

Copies of Motions and
Applications

Copies of each pleading identified below can be viewed and/or obtained by: (i) accessing the Court's website at www.nysb.uscourts.gov, (ii) contacting the Office of the Clerk of the Court at United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, NY 10004, or (iii) from the Debtors' notice and claims agent, Prime Clerk, LLC, at <https://cases.primeclerk.com/Synergy> or by calling **1-855-388-4579** (toll free from the U.S. and Canada); or **1-646-795-6978** (international) or by e-mail at synergyinfo@primeclerk.com. Note that a PACER password is needed to access documents on the Court's website.

I. ADJOURNED MATTERS

1. Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 355]

Objection Deadline: March 13, 2019 at 4:00 p.m., Objection deadline extended to April 18, 2019 at 4:00 p.m.

Responses Filed: Objection of the Official Committee of Unsecured Creditors to Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment Of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 540]

Debtors' Limited Objection to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 (corrects and replaces Docket No. 542) [Docket No. 544]

Joinder of CRG Servicing LLC and Affiliated Lenders to Creditors' Committee's Objection to

Application of Equity Committee for Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker [Docket No. 547]

Joinder of CRG Servicing LLC and Affiliated Lenders to Debtors' Objection to Application of Equity Committee for Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker [Docket No. 548]

Limited Objection of the United States Trustee to the Application of the Official Committee of Equity Security Holders for an Order Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. [Docket No. 555]

Related Documents:

Notice of Application for Order Authorizing Employment and Retention of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 29, 2019 [Docket No. 357]

Amended Notice of Presentment of (I) Application of the Official Committee of Equity Security Holders for an Order Authorizing Employment and Retention of Gibson, Dunn & Crutcher LLP as Its Attorneys *Nunc Pro Tunc* to January 29, 2019, and (II) Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 407]

Notice of Cancellation of Hearing Scheduled for March 20, 2019 at 11:00 a.m. [Docket No. 560]

Notice of Adjournment of Hearing With Respect to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to

11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders *Nunc Pro Tunc* to January 31, 2019 [Docket No. 562]

Notice of Adjournment of Hearing With Respect to the Application of the Official Committee of Equity Security Holders for Entry of an Order Pursuant to 11 U.S.C. §§ 328(a) and 1103, Fed. R. Bankr. P. 2014 and 5002, and Local Rule 2014-1 Authorizing Retention and Employment of Houlihan Lokey Capital, Inc. as Financial Advisor and Investment Banker to the Official Committee of Equity Security Holders [Docket No. 616]

Status: **The hearing on this matter has been adjourned to April 23, 2019 at 11:00 a.m.**

2. Motion of CRG Servicing LLC to (I) Enforce Plan Settlement Stipulation, (II) Impose Sanctions on the Official Equity Committee and the Law Firm of Stevens & Lee, P.C. and (III) Impose Sanctions [Docket No. 557]

Objection Deadline: April 2, 2019 at 4:00 p.m. Objection deadline extended to April 11, 2019 at 4:00 p.m.

Responses Filed: None.

Related Documents: Notice of Motion of CRG Servicing LLC to (I) Enforce Plan Settlement Stipulation, (II) Impose Sanctions on the Official Equity Committee and the Law Firm of Stevens & Lee, P.C. and (III) Impose Sanctions [Docket No. 558]

Limited Joinder of Official Committee of Unsecured Creditors to Motion of CRG Servicing LLC for an Order Pursuant to 11 U.S.C. 105(a), (I) Enforcing Plan Settlement Stipulation, (II) Holding the Official Equity Committee and The Law firm of Steven & Lee, P.C. in Contempt of Court and (III) Imposing Sanctions [Docket No. 563]

Status: **The hearing on this matter has been adjourned to April 23, 2019 at 11:00 a.m.**

II. UNCONTESTED MATTERS

1. Debtors' Application for an Order (I) Authorizing the Debtors to File Omnibus Claims Objections on Grounds Other Than as Set Forth in Bankruptcy Rule 3007(d) and (II) Authorizing Procedures for Settling Claims [Docket No. 514]

Objection Deadline: March 25, 2019 at 11:00 a.m.

Responses Filed: None.

Related Documents: Certificate of No Objection to Debtors' Application for an Order (I) Authorizing the Debtors to File Omnibus Claims Objections on Grounds Other Than As Set Forth in Bankruptcy Rule 3007(D) and (II) Authorizing Procedures for Settling Claims [Docket No. 602]

Status: The hearing on this matter is going forward.

2. Debtors' Omnibus Motion for an Order Authorizing (I) Assumption and Assignment of Certain Executory Contracts to the Purchaser and (II) Granting Related Relief [Docket No. 584]

Objection Deadline: April 2, 2019 at 4:00 p.m.

Responses Filed: None.

Related Documents: Amended Declaration of Gary G. Gemignani in Support of Debtors' Omnibus Motion for an Order Authorizing (I) Assumption and Assignment of Certain Executory Contracts to the Purchaser and (II) Granting Related Relief [Docket No. 631]

Certificate of No Objection to Debtors' Omnibus Motion for an Order Authorizing (I) Assumption and Assignment of Certain Executory Contracts to the Purchaser and (II) Granting Related Relief [Docket No. 634]

Status: The hearing on this matter is going forward.

3. Debtors' First Omnibus Motion for an Order Authorizing (I) Rejection of Certain Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Docket No. 585]

Objection Deadline: April 2, 2019 at 4:00 p.m.

Responses Filed: None.

Related Documents: Certificate of No Objection to Debtors' First Omnibus Motion for an Order Authorizing (I) Rejection of Certain Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Docket No. 635]

Status: The hearing on this matter is going forward.

4. Debtors' Second Omnibus Motion for an Order Authorizing (I) Rejection of Certain Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Docket No. 586]

Objection Deadline: April 2, 2019 at 4:00 p.m.

Responses Filed: None.

Related Documents: Certificate of No Objection to Debtors' Second Omnibus Motion for an Order Authorizing (I) Rejection of Certain Executory Contracts and Unexpired Leases and (II) Granting Related Relief [Docket No. 636]

Status: The hearing on this matter is going forward.

5. Debtors' Application for an Order Authorizing (I) Rejection of Master Equity Automobile Lease and Related Agreements and (II) Granting Related Relief [Docket No. 588]

Objection Deadline: April 2, 2019 at 4:00 p.m.

Responses Filed: None.

Related Documents: Certificate of No Objection to Debtors' Application for an Order Authorizing (I) Rejection of Master Equity Automobile Lease and Related Agreements and (II) Granting Related Relief [Docket No. 637]

Status: The hearing on this matter is going forward.

6. Debtors' Motion for an Order Extending Debtors' Exclusive Periods to File a Plan of Reorganization and Solicit Acceptances Thereof [Docket No. 578]

Objection Deadline: April 2, 2019 at 4:00 p.m.

Responses Filed: None.

Related Documents: None.

Status: **The hearing on this matter is going forward.**

III. CONTESTED MATTER

7. Debtors' Motion for Entry of an Order (I) Approving Settlement Among the Debtors, CRG Servicing LLC, the Creditors' Committee, the Equity Committee, and Houlihan Lokey Capital, Inc. and (II) Finding That Proposed Modifications to the Proposed Plan Do Not Require Further Solicitation [Docket No. 609]

Objection Deadline: April 5, 2019 at 4:00 p.m.

Responses Filed: *Lead Plaintiffs' Objection to Debtors' Motion for Entry of an Order (I) Approving Settlement Among the Debtors, CRG Servicing LLC, the Creditors' Committee, the Equity Committee, and Houlihan Lokey Capital, Inc. and (II) Finding That Proposed Modifications to the Proposed Plan Do Not Require Further Modifications [Docket No. 639]*

Related Documents: Debtors' *Ex Parte* Motion for Order Shortening Notice Period With Respect to Debtors' Motion for Entry of an Order (I) Approving Settlement Among the Debtors, CRG Servicing LLC, the Creditors' Committee, the Equity Committee, and Houlihan Lokey Capital, Inc. and (II) Finding That Proposed Modifications to the Proposed Plan Do Not Require Further Solicitation [Docket No. 612]

Order Shortening Notice Period With Respect to Debtors' Motion for Entry of an Order (I) Approving Settlement Among the Debtors, CRG Servicing LLC, the Creditors' Committee, the Equity Committee, and Houlihan Lokey Capital, Inc. and (II) Finding That Proposed Modifications to the Proposed Plan Do Not Require Further Solicitation [Docket No. 613]

Notice of Hearing on Debtors' Motion for Entry of an Order (I) Approving Settlement Among the Debtors, CRG Servicing LLC, the Creditors' Committee, the Equity Committee, and Houlihan Lokey Capital, Inc. and (II) Finding That Proposed Modifications to the Proposed Plan Do Not Require Further Solicitation [Docket No. 615]

Replies:

Debtors' Reply in Support of Debtors' Motion for Entry of an Order (I) Approving Settlement Among the Debtors, CRG Servicing LLC, the Creditors' Committee, the Equity Committee, and Houlihan Lokey Capital, Inc. and (II) Finding That Proposed Modifications to the Proposed Plan Do Not Require Further Solicitation [Docket No. 644]

Joinder of CRG Servicing LLC and Affiliated Lenders to Debtors' Reply in Support of Debtors' Motion for Entry of an Order (I) Approving Settlement Among the Debtors, CRG Servicing LLC, the Creditors' Committee, the Equity Committee, and Houlihan Lokey Capital, Inc. and (II) Finding that Proposed Modifications to the Proposed Plan Do Not Require Further Solicitation [Docket No. 645]

Status:

The hearing on this matter is going forward.

[Remainder of Page Intentionally Left Blank]

Dated: New York, New York
April 8, 2019

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

/s/ Ron E. Meisler

Lisa Laukitis
Christine A. Okike
Four Times Square
New York, New York 10036-6522
Telephone: (212) 735-3000
Fax: (212) 735-2000

– and –

Ron E. Meisler (admitted *pro hac vice*)
Christopher M. Dressel (admitted *pro hac vice*)
Jennifer Madden (admitted *pro hac vice*)
155 North Wacker Drive
Chicago, Illinois 60606-1720
Telephone: (312) 407-0700
Fax: (312) 407-0411

– and –

TOGUT, SEGAL & SEGAL LLP

Albert Togut
Neil M. Berger
Kyle J. Ortiz
One Penn Plaza
Suite 3335
New York, New York 10119
Telephone: (212) 594-5000
Fax: (212) 967-4258

Counsel to Debtors and Debtors-in-Possession